

PETITION FOR ZONING VARIANCE
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 17.024.3.2 (Section III.C. 3.) 1945 regulations to permit a side setback of one foot in lieu of the required seven feet for an attached carport.

- Existing carport roof attached to house starting to rot
- Would like to fit two cars
- Cannot project to rear due to interference with power lines

Property is to be posted and advertised as prescribed by Zoning Regulations.
I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: _____
(Type or Print Name)

Legal Owner(s):
Mr. Homer E. Johnson
(Type or Print Name)

Signature: *Homer E. Johnson*
(Type or Print Name)

Signature: _____
(Type or Print Name)

Address for Petitioner:
3422 Washington Ave. Phone No. 695-2288
Address Phone No.
Baltimore Maryland
City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted:
Steven Herrera (B/H Contractors Inc.)
Name
3630 Rusty Rim Address 465-4714
City and State Phone No.

Attorney's Telephone No.: _____
Address Phone No.

ORDER RECEIVED FOR FILING
DATE *October 10, 1984*

10/30 ORDERED By The Zoning Commissioner of Baltimore County, this 30th day of October, 1984, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 17th day of December, 1984, at 10:00 o'clock A.M.

Carl Jablon
Zoning Commissioner of Baltimore County.

BALTIMORE COUNTY
ZONING PLANS
ADVISORY COMMITTEE

PETITION AND SITE PLAN
EVALUATION COMMENTS

MICROFILMED

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

Arnold Jablon,
TO: Zoning Commissioner Date: December 10, 1984

Norman E. Gerber, Director
FROM: Office of Planning and Zoning

SUBJECT: Zoning Petitions No. 85-165-A,
85-166-A and 85-169-A

There are no comprehensive planning factors requiring comment on these petitions.

Norman E. Gerber
Norman E. Gerber
Director

NEG:JGH:bjs

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE
December 5, 1984

Mr. Steven Herrera
B/H Contractors Inc.
3630 Rusty Rim
Ellicott City, Maryland 21043

RE: Item No. 112, Case No. 85-165-A
Homer E. Johnson - Petitioner
Variance Petition

Dear Mr. Herrera:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,
Nicholas B. Commodari
NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NBC:bsc
Enclosures
cc: Homer Herrera

85-165-A

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this 30th day of October, 1984.

Arnold Jablon
ARNOLD JABLON
Zoning Commissioner

Received by: *Nicholas B. Commodari*
Nicholas B. Commodari
Chairman, Zoning Plans
Advisory Committee

Petitioner: *Homer E. Johnson*
Petitioner's Attorney

BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY J. PISTEL P.E.
DIRECTOR

November 26, 1984

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #112 (1984-1985)
Property Owner: Homer E. Johnson
N/S Washington Ave. 115' W. from centerline
Maryvale Rd.
Acres: 79.41/63.78 x 107.48/107.48
District: 2nd

Dear Mr. Jablon:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

General Comments:

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings down stream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

Very truly yours,
James K. Markle
JAMES K. MARKLE, P.E., Chief
Bureau of Public Services

JAM:EM:PMO:ns

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204
494-3521

NORMAN E. GERBER
DIRECTOR

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

11/21/84

Re: Zoning Advisory Meeting of 10/30/84
Item # 112
Property Owner: *Homer E. Johnson*
Location: *115 Washington Ave.,
W of Maryland Rd.*

Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

- There are no site planning factors requiring comment.
- A County Review Group Meeting is required.
- A County Review Group meeting was held and the minutes will be forwarded by the Bureau of Public Services.
- This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
- A record plat will be required and must be recorded prior to issuance of a building permit.
- The access is not satisfactory.
- The circulation on this site is not satisfactory.
- The parking arrangement is not satisfactory.
- Parking calculations must be shown on the plan.
- This property contains soils which are defined as wetlands, and development on these soils is prohibited.
- Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-98 of the Development Regulations.
- Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- The amended Development Plan was approved by the Planning Board on _____.
- Landscaping should be provided on this site and shown on the plan.
- The property is located in a deficient service area as defined by Bill 178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service area is _____.
- The property is located in a traffic area controlled by a top level intersection as defined by Bill 178-79, and as conditions change traffic capacity may become more limited. The Basic Services Areas are re-evaluated annually by the County Council.

Additional comments:

Ernest A. Bahr
Ernest A. Bahr
Chief, Current Planning and Development

cc: James Rowell

BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550

STEVEN E. COLLINS
DIRECTOR

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Item No. 109, 110, 112, 113, 114, and 116 ZAC - Meeting of October 30, 1984

Property Owner:
Location:
Existing Zoning:
Proposed Zoning:

Acres:
District:

Dear Mr. Jablon:

The Department of Traffic Engineering has no comments for item numbers 109, 110, 112, 113, 114, and 116.

Michael S. Flanagan
Michael S. Flanagan
Traffic Engineering Assoc. II

MSE/ocm

Johnson
10/17
85-165-A

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would/would not result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested will not adversely affect the health, safety, and general welfare of the community, the variance(s) should/should not be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 19____, that the herein Petition for Variance(s) to permit



BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204-2586
494-4500

Mr. H. RENCKE
Chief
November 7, 1984

Mr. Arnold Jablon
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: Home E. Johnson
Location: N/S Washington Ave. 115' W. from c/l Maryvale Road
Item No.: 112 Zoning Agenda: Meeting of 10/30/84
Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- () 1. Fire hydrants for the referenced property are required and shall be located at intervals of _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.
- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- (X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.
- () 6. Site plans are approved, as drawn.
- () 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER: *George M. Wagoner* Noted and Approved: *George M. Wagoner*
Flamingo Group Fire Prevention Bureau
Special Inspection Division

/mb



BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3010

110 ZANESKI RD.
BOSTON, MA 02111
November 5, 1984

Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Jablon:
Comments on Item # 112 Zoning Advisory Committee Meeting are as follows:

- Property Owner: Homer E. Johnson
Location: N/S Washington Avenue 115' W. from c/l Maryvale Road
Existing Zoning: R-1, S-5
Proposed Zoning: Variance to permit a side yard setback of 1' in lieu of the required 7'.
- Address: 79.11/63.78 x 107.48/107.48
District: 2nd
- The items checked below are applicable:
- (A) All structures shall conform to the Baltimore County Building Code 1981/Council Bill 1-82 State of Maryland Code for the Handicapped and Age; and other applicable Codes.
 - (B) A building/ & other / permit shall be required before beginning construction.
 - (C) Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal 1/4" not required. Non-reproduced seals and signatures are required on Plans and Technical Data.
 - (D) Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.
 - (E) An exterior well erected within 6'0" for Commercial uses or 3'0" for One & Two Family use group of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3'0" of lot lines. A firewall is required if construction is on the lot line, see Table 401, line 2, Section 1107 and Table 3100, also Section 5014.
 - (F) Requested variance appears to conflict with the Baltimore County Building Code, Section/A _____
 - (G) A change of occupancy shall be applied for, along with an alteration permit application. Three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal.
 - (H) Before this office can comment on the above structures, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to this office, that the structure for which a proposed change in use is proposed on comply with the height/area requirements of Table 505 and the required construction classification of Table 401.

SPECIAL NOTE: (I) Comments - Covering the existing gas line may be a violation of the Plumbing Code and/or The Baltimore Gas & Electric Co. regulations. Until the owner has conversed with Mr. Vernon Bucher at 19L-3620 and the Gas Co., approval should not be granted for this variance.

NOTE: These comments reflect only on the information provided by the drawings submitted to the office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired, additional information may be obtained by visiting Room 112 (Plans Review) at 111 W. Chesapeake Ave., Towson.

Very truly yours,
Charles S. Burbanck
Charles S. Burbanck, Chief
Plans Review

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
N/S of Washington Ave., : OF BALTIMORE COUNTY
115' W of the Centerline :
of Maryvale Rd. (3422 :
Washington Ave.), 2nd Dist. :
HOMER E. JOHNSON, Petitioner : Case No. 85-165-A

ENTRY OF APPEARANCE

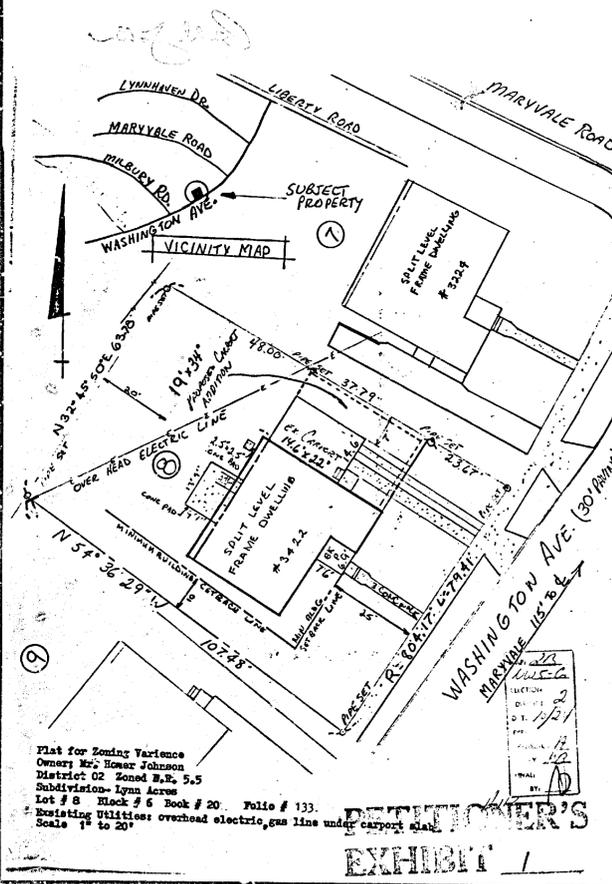
Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Rm. 233, Court House
Towson, MD 21204
494-2188

I HEREBY CERTIFY that on this 13th day of December, 1984, a copy of the foregoing Entry of Appearance was mailed to Mr. Homer E. Johnson, 3422 Washington Ave., Baltimore, MD 21207, Petitioner.

Peter Max Zimmerman
Peter Max Zimmerman



CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 2nd Date of Posting 11-21-84

Posted for: Variance

Petitioner: Homer E. Johnson

Location of property: N/S Washington Ave. 115' W of the c/l of Maryvale Rd. (3422 Washington Ave.)

Location of Sign: on front of 3422 Washington Ave.

Remarks:

Posted by: *A.P. Deane* Date of return: 12-7-84

Number of Signs: 1

November 15, 1984

Mr. Steven Herrera
B/H Contractors Inc.
3630 Rusty Rim
Ellicott City, Maryland 21043

NOTICE OF HEARING
RE: Petition for Variance
N/S Washington Ave., 115' W of the c/l of Maryvale Rd. (3422 Washington Ave.)
Homer E. Johnson - Petitioner
Case No. 85-165-A

TIME: 10:00 a.m.
DATE: Monday, December 17, 1984
PLACE: Room 106, County Office Building, 111 West Chesapeake

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE: 10-18-84 ACCOUNT: 12-01-615-000

AMOUNT: 35.00

RECEIVED FROM: *F.H. Co. Contractor 112*

FOR: *112*

6 605*****31601 8164F

VALIDATION OR SIGNATURE OF CASHIER
Baltimore, Maryland 21207

LEGAL NOTICE

PETITION FOR VARIANCE
85-165-A

LOCATION: 115' West of the Centerline of Washington Ave., 115' W of the Centerline of Maryvale Rd. (3422 Washington Ave.), 2nd Dist. of Baltimore County, Md.

DATE AND TIME: Monday, December 17, 1984

PUBLIC HEARING: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

CERTIFICATE OF PUBLICATION
60881

Fikesville, Md., Nov. 28, 1984

I CERTIFY that the annexed advertisement published in the NORTHWEST STAR, a weekly newspaper published in Fikesville, Baltimore Maryland before the 17th day of 1984

1 publication appearing on the 1 day of Nov., 1984

and publication appearing on the _____ day of _____, 19____

the third publication appearing on the _____ day of _____, 19____

THE NORTHWEST STAR

John H. Helweg
Manager

Cost of Advertisement \$20.00

Date: December 11, 1984
 To: Baltimore County Zoning Plans Advisory Committee
 ATTN: Mr. Nicholas B. Commodori, Chairman
 Baltimore County Office Building
 Towson, Md. 21204
 From: Mr. and Mrs. Sol Gerstein
 3424 Washington Ave.
 Baltimore, Md. 21207
 Subject: Petition for Zoning Variance
 Ref: Case No. 85-165A
 Mr. Homer E. Johnson, Petitioner
 3422 Washington Ave.
 Baltimore, Md. 21207

Dear Sir,
 We have no objection to the proposed reconstruction of the existing carport located on the adjacent property at 3422 Washington Ave. as described in the petition listed above. We have examined the plot plan and a construction drawing. We believe that the proposed carport will add to the appearance of the property in particular, and the neighborhood in general. We endorse approval of the petition.

Sol Gerstein
Sol Gerstein

**PETITIONER'S
 EXHIBIT 4**

Date: December 11, 1984
 To: Baltimore County Zoning Plans Advisory Committee
 ATTN: Mr. Nicholas B. Commodori, Chairman
 Baltimore County Office Building
 111 W. Chesapeake Ave.
 Towson, Md. 21204
 From: Mr. and Mrs. Henry Silbermann
 3423 Washington Ave.
 Baltimore, Md. 21207
 Subject: Petition for Zoning Variance
 Ref: Item No. 112, Case No. 85-165A
 Mr. Homer E. Johnson, Petitioner
 3422 Washington Ave.
 Baltimore, Md. 21207

Dear Sir,
 We have no objection to the proposed reconstruction of the existing carport located at 3422 Washington Ave. as described in the petition listed above. We have examined the plot plan and a construction drawing. We believe that the proposed carport will add to the appearance of the property in particular, and the neighborhood in general. We endorse approval of the petition.

Henry Silbermann
Henry Silbermann

**PETITIONER'S
 EXHIBIT 5**

Date: December 11, 1984
 To: Baltimore County Zoning Plans Advisory Committee
 ATTN: Mr. Nicholas B. Commodori, Chairman
 Baltimore County Office Building
 Towson, Md. 21204
 From: Mr. and Mrs. Stanley L. Roll
 3413 Maryvale Rd.
 Baltimore, Md. 21207
 Subject: Petition for Zoning Variance
 Ref: Case No. 85-165A
 Mr. Homer E. Johnson, Petitioner
 3422 Washington Ave.
 Baltimore, Md. 21207

Dear Sir,
 We have no objection to the proposed reconstruction of the existing carport located on the adjacent property at 3422 Washington Ave. as described in the petition listed above. We have examined the plot plan and a construction drawing. We believe that the proposed carport will add to the appearance of the property in particular, and the neighborhood in general. We endorse approval of the petition.

Stanley L. Roll
Stanley L. Roll

**PETITIONER'S
 EXHIBIT 6**

**PETITIONER'S
 EXHIBIT 3**

